



Docket No. 053649-0003

PATENT

#12  
412-01  
pc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Nowak et al.  
Serial No.: 09/178,329  
Filed : August 23, 1998

Examiner: M. Jackson  
Group Art No.: 1773

For: COMPOSITE WRAP MATERIAL

DECLARATION OF MICHAEL VAN ABEL

Assistant Commissioner for Patents  
Washington, D.C. 20231

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Sir:

I, Michael Van Abel, declare and say as follows:

1. For the past 18 months I have been employed by Coating Excellence International, Inc., as Vice President of Sales for ream wrap products.
2. Prior to working for Coating Excellence International, Inc., I was employed by International Paper Corporation. Between 1993 and 1999, I was the Product Manager for all of their ream wrap products. The International Paper Corporation patents cited by the Examiner in the above case were issued or pending while I was employed at the company. Thus, I am very familiar with the types of prior art of which these inventors were aware. Between 1982 and 1993, I held the positions of Production Control Manager, and Marketing Analyst, in which I dealt with polyethylene and paper products, including ream wraps.
3. During my entire career, I never encountered a ream wrap product having the same construction as the present invention.

4. It would not occur to a person of ordinary skill to replace a ream-wrap paper having a coating with a ream-wrap paper having a solid extruded film adhered thereto.
5. The product made according to the claimed invention is substantially free of air pockets. A person of ordinary skill in the art of packaging would understand this to mean that there are approximately less than three air pockets of about 1mm in diameter formed between the substrate and laminate in ten square feet of material.
6. The product made according to the claimed invention has fold characteristics such that when a crease is put into the material, it stays there. Paper has this characteristic. The material does not have a memory causing the fold to open, as is the case with film.
7. Burst strength is determined by standardized tests such as that defined by the American Society for Testing and Materials test, ASTM D 774, entitled "Test Method for Bursting Strength of Paper." This test can also be used to determine the burst strength of polymer materials such as polyethylene terephthalate film and sheeting (ASTM D5047-95).
8. A person of ordinary skill in the art of packaging will know that a high burst strength means that by testing an appropriate sample of available ream wrap products having the same basis weight according to a standardized test such as ASTM D 774, the wrap made in accordance with the claimed invention would yield a higher burst strength.
9. The water vapor transfer rate (WVTR) as determined by a standardized test method such as TAPPI T464 om-90 for a product made in accordance with the claimed invention is less than 0.5 g/100 in<sup>2</sup>/24 hr at 100 degrees Fahrenheit, 90 % relative humidity.
10. I hereby declare that all statements made herein of my own knowledge are true, and that all statements are made on information and belief believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18

of the United States Code, and that such willful false statements may jeopardize the validity of the patent application to which it relates or any patent issued thereon.

DATE: March 26<sup>th</sup>, 2001

Michael Van Abel  
Michael Van Abel

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